

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JASON GOODMAN,

Plaintiff,

v.

No. 1:23-cv-09648-JGLC-GWG

THE CITY OF NEW YORK and NEW YORK
CITY POLICE DEPARTMENT, NEW YORK
CITY POLICE DEPARTMENT
LIEUTENANT GEORGE EBRAHIM, NEW
YORK CITY POLICE DEPARTMENT
OFFICER CHANDLER CASTRO, NEW
YORK CITY POLICE DEPARTMENT
OFFICER JENNIFER CARUSO, NEW YORK
CITY POLICE DEPARTMENT OFFICER
KELVIN GARCIA, JOHN DOE 1, JOHN
DOE 2, JOHN DOE 3, JOHN DOE 4, JANE
DOE, (fictitious names intended to be officers,
representatives, agents, servants of the New
York City Police Department, individually and
in their official capacities, ELON MUSK, X
CORP, ADAM SHARP,

Defendants.

**STIPULATION AND PROPOSED ORDER
REGARDING BRIEFING SCHEDULE
ON DEFENDANT X CORP.'S MOTION TO DISMISS
THE COMPLAINT FOR FAILURE TO STATE A CLAIM**

Plaintiff Jason Goodman and defendant X Corp. respectfully submit this Stipulation and Proposed Order Regarding Briefing Schedule on Defendant X Corp.’s Motion to Dismiss the Complaint for Failure to State a Claim.

WHEREAS, on October 31, 2023, Plaintiff filed his Complaint and Jury Demand (Dkt. 1; “Complaint”);

WHEREAS, on November 7, 2023, District Judge Jessica G.L. Clarke issued an Order of Reference to a Magistrate Judge (Dkt. 3), referring “General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement),” but not “Dispositive Motion[s],” to Magistrate Judge Gabriel W. Gorenstein;

WHEREAS, on November 13, 2023, the Complaint was served on X Corp. (Dkt. 29);

WHEREAS, on December 4, 2023, defendant X Corp. filed a Notice of Motion to Dismiss the Complaint for Failure to State a Claim (Dkt. 18; “Motion”) and a Memorandum of Law in support of the Motion (Dkt. 19);

WHEREAS, the Court has not ordered any deadlines for briefing the Motion;

WHEREAS, on December 6, 2023, District Judge Jessica G.L. Clarke issued an Amended Order of Reference to a Magistrate Judge (Dkt. 23; “Amended Reference Order”), assigning “Dispositive Motion[s]” to Magistrate Judge Gabriel W. Gorenstein;

WHEREAS, the parties understand that, by operation of the Amended Reference Order, X Corp.’s Motion has been referred to Magistrate Judge Gabriel W. Gorenstein;

WHEREAS, because the Motion was not referred to Magistrate Judge Gabriel W. Gorenstein until after it was filed, the text of the Motion does not include any agreed-upon schedule for briefing the Motion, as required by Section 2.B. of the Individual Practices of Magistrate Judge Gabriel W. Gorenstein dated June 17, 2021;

WHEREAS, the parties have since conferred, agree upon, and stipulate to the following briefing schedule for the Motion:

- Plaintiff’s opposition brief to the Motion shall be filed on or before January 8, 2024
- X Corp.’s reply in support of the Motion shall be filed on or before January 29, 2024

Respectfully submitted,

WILLENKEN LLP

/s/ Kenneth M. Trujillo-Jamison
Kenneth M. Trujillo-Jamison
(admitted *pro hac vice*)
Peter Shimamoto
707 Wilshire Blvd., Suite 3850
Los Angeles, CA 90017
Telephone: (213) 955-9240
Facsimile: (213) 955-9250
ktrujillo-jamison@willlenken.com

Attorneys for Defendant X Corp.

JASON GOODMAN



Jason Goodman

Plaintiff appearing pro se

Dated: December 14, 2023

IT IS SO ORDERED.

Dated: _____, 2023

Gabriel W. Gorenstein
United States Magistrate Judge